



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Anthony E. SEAMAN

Serial No.: 10/725,187

Examiner: SOOHOO, T.G.

Filed: December 01, 2003

Art Unit: 1723

For: AGITATORS FOR WAVE-MAKING OR MIXING
AS FOR TANKS, AND PUMPS AND FILTERS

Commissioner for Patents
P.O. Box 1450, Alexandria
VA 22313-1450

CERTIFICATE UNDER 37 CFR 1.8(a)
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
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Box 1450, Alexandria, VA 22313-1450

ON 5-18-05
Jonathan A. Bay
REGISTRATION NO. 35064
DATE 5-18-05

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
37 C.F.R. §1.321(b),(c) and MPEP §1490

Interest of Person Making This Disclaimer

I, Jonathan A. Bay, represent that I am

(a)

- ☐ an inventor of this invention
☒ legal representative authorized to sign on behalf of the inventor(s) for this invention
☐ an Assignee of this invention
☐ a representative authorized to sign on behalf of the Assignee for this invention

(b) The extent of the owner-entity's interest (ie., the interest of the sole inventor) is in

- ☒ the whole of this invention
☐ a sectional interest in this invention, as follows (*state interest of owner*): _____

Identity of Assignee and Title of Disclaimant (if applicable)

The Assignee is

Name of Assignee _____

Address of Assignee _____

Title of disclaimant authorized to sign on behalf of assignee _____

Recordal of Assignment in PTO (if applicable)

___ the assignment was recorded on _____
___ Reel _____ Frame _____
___ authorization for recordal of the assignment is separately attached hereto.

Disclaimer

I hereby

___ disclaim the term of this patent subsequent to _____ 19__.

-OR-

- ☒ disclaim, except as provided below, the terminal part of the statutory term of any patent granted on this application, which would extend beyond the earliest applicable expiration date of the full statutory term defined in 35 U.S.C. §§154 through 156 and 173, as presently shortened by any terminal disclaimer(s) (if any), of either prior U.S. Patent No. 6,488,401 or else prior U.S. Patent No. 6,655,830.

The owner hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that such patent so granted is commonly owned with both said prior U.S. Patent No. 6,488,401 and said prior U.S. Patent No. 6,655,830, which together formed the basis of the double patenting rejection. 37 C.F.R. §1.321(c).

This agreement runs with any patent granted on this application and is binding upon grantee, its successors or assigns.

In making the foregoing disclaimer, the owner does not disclaim the terminal part of any patent granted on this application that would extend to the earliest applicable expiration date of the full statutory term defined in 35 U.S.C. §§154 through 156 and 173, as presently shortened by any terminal disclaimer(s) (if any), of either prior U.S. Patent No. 6,488,401 or else prior U.S. Patent No. 6,655,830, in the event that either of said prior U.S. patents later:-- expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all the claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer (if any).

Fee Status
(37 CFR 1.20(d))

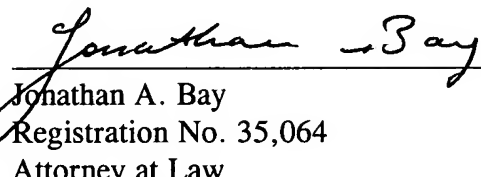
☐ other than a small entity fee \$.00
☒ small entity fee \$ 65.00
☒ small entity status is of record.
☐ verified statement attached for _____.

Fee Payment

☒ The sum of **\$65.00** is submitted herewith.
☐ Charge Account _____ for any fee deficiency. A duplicate of this sheet is attached.
☐ Charge Deposit Account _____ the sum of \$_____ and for any fee deficiency which may be due. A duplicate of this disclaimer is attached.

Respectfully submitted,

Date: 5-18-05



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Docket No. 355-8